

FILED

SEP 06 2011

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

JAVIER RUIZ MARAVILLA,
Petitioner,

vs.

G. SWARTHOUT, Warden,
Respondent.

No. C 11-03385 EJD (PR)
ORDER OF DISMISSAL

Petitioner, a state prisoner proceeding pro se, filed a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. Petitioner did not apply for leave to proceed in forma pauperis or pay the filing fee, so on July 11, 2010, this Court's Clerk sent Petitioner a notice that he must either pay the full filing fee or file an in forma pauperis application within thirty days or the case would be dismissed. (Docket No. 2.) Along with the notice, Petitioner was mailed the Court's In Forma Pauperis Application, instructions for completing such an application, including a Certificate of Funds form to be completed and signed by a prison official, and a return envelope. (Id.) The deadline has since passed, and Petitioner has not complied.

Accordingly, this case is DISMISSED without prejudice for failure to pay the filing fee. The Clerk shall terminate any pending motions and close the file.

DATED: 9/1/11


EDWARD J. DAVILA
United States District Judge

UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

JAVIER RUIZ MARAVILLA,
Petitioner,

Case Number: CV11-03385 EJD

CERTIFICATE OF SERVICE

v.

G. SWARTHOUT, Warden,
Respondent.

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on 9/06/11, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Javier Ruiz Maravilla G-14768
P. O. Box 4000
Vacaville, CA 95696-4000

Dated: 9/06/11

Richard W. Wierking, Clerk
By:  Elizabeth Garcia, Deputy Clerk